IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2213 OF 1999

M/s. Vanguard Industrial Packaging
Pvt.Ltd. & Anr. ...Petitioners
V/s.
Sharan Agarwal & Anr. ...Respondents

Mr.V.V. Yadav holding for Mr.S.V. Marwadi for Petitioners.
Ms.S.V. Gajre, APP for the State.

CORAM : V.M. KANADE, J.

DATED : JANUARY 24, 2006

P.C. :-

. The petitioners are challenging the order of issuance of process passed by the Metropolitan Magistrate on a complaint filed under Section 138 of the Negotiable Instruments Act. The ground which is raised in this petition is no longer res integra as it has been decided by the Supreme Court in the case of **Pankaj Mehra & Anr. V/s. State of Maharashtra & Ors. reported in (2000) 2 SCC 756.** In the result, nothing survives in the petition.

2. Petition is accordingly dismissed as it has become infructuous. It is, however, made clear that all

questions raised in this petition are kept open and shall be decided by the trial Court.

4. Rule is discharged. The interim order granted earlier shall stand vacated.

(V.M. KANADE, J.)